



20 MAR 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

SUGHRUE MION
2100 Pennsylvania Ave., NW
Washington, DC 20037-3213

#5

In re Application of	:	
AKIYAMA, Kimio, et al.	:	DECISION ON PETITION
Application No.: 10/031,454	:	
PCT No.: PCT/JP01/04202	:	
Int. Filing Date: 21 May 2001	:	
Priority Date: 22 May 2000	:	
Attorney Docket No.: Q68004	:	
For: ORGANIC ELECTROLUMINESCENT	:	
DEVICE AND LIGHT-EMITTING MATERIAL	:	

This decision is issued in response to applicants' "Petition Under 37 CFR 1.182 For Correction Of Claim To Benefit Of Provisional Application" filed 18 March 2002 and the "Request For Corrected Official Filing Receipt" filed 10 July 2002. Applicant has paid the petition fee.

BACKGROUND

On 21 May 2001, applicants filed international application PCT/JP01/04202 which claimed a priority date of 22 May 2000 and which designated the United States. On 29 November 2001, the International Bureau ("IB") communicated a copy of the international application to the USPTO. One of the priority claims listed on the published international application was a claim to U.S. provisional application 60/221,486.

On 20 June 2001, a Demand was filed with the International Preliminary Examining Authority electing the United States. The election was made prior to the expiration of 19 months from the priority date. As a result, the deadline for submission of the basic national fee was extended to expire thirty months from the priority date, i.e., 22 November 2002.

On 03 September 2001, applicants notified the IB of a typographical error in the submitted priority claim. Specifically, applicants sought correction of the application number in the U.S. provisional application from 60/221,486 to 60/211,486.

On 22 January 2002, applicants filed a transmittal letter for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee and an executed declaration. The declaration and transmittal letter filed on 22 January 2002 both incorrectly referred to 60/221,486 as the U.S. provisional application to which priority was claimed.

On 18 March 2002, applicants filed the "Petition Under 37 CFR 1.182 For Correction Of Claim To Benefit Of Provisional Application" considered herein, seeking to correct the priority reference to the proper 60/211,486 application number. The submission included a revised declaration that included the correction.

On 09 April 2002, the United States Designated/Elected Office (DO/EO/US) mailed a Notification Of Acceptance and a filing receipt indicating 22 January 2002 as the filing date for this national stage application. The filing receipt also referred to priority application 60/221,486, as listed in the papers filed on 22 January 2002.

On 06 May 2002, applicant filed the "Request For Corrected Official Filing Receipt." considered herein. This submission requests that a new filing receipt be issued that correctly identifies the U.S. priority application number as 60/211,486, with a filing date of 14 June 2000.

DISCUSSION

As evidenced by the "Notification Relating To Priority Claim" (Form PCT/IB/318) issued by the IB on 06 March 2002, the priority claim in international application PCT/JP01/04202 was corrected from U.S. application number 60/221,486 to U.S. application number 60/211,486. It is therefore appropriate for applicants to make the same correction in the present national stage of PCT/JP01/04202.

Based on this correction in the priority application number, the filing receipt mailed 09 April 2002 is appropriately vacated. A corrected filing receipt will be issued that sets forth the proper application number for the U.S. priority application.

CONCLUSION

Applicants' petition and request for corrected filing receipt are **GRANTED**.

The application number for the U.S. provisional application to which priority is claimed is corrected to 60/211,486, so as to coincide with the international application and applicants' intent.

The filing receipt mailed 09 April 2002 is hereby **VACATED**.

This application is being returned to the National Stage Processing Branch of the Office of PCT Operations for further processing, including: (1) mailing a corrected filing receipt

properly identifying the U.S. provisional priority application as 60/211,486, filed 14 June 2000; (2) processing the preliminary amendment included with the 18 March 2002 petition, and (3) updating USPTO records to reflect the corrected priority application.



Richard M. Ross

PCT Petitions Attorney

PCT Legal Office

Telephone: (703) 308-6155

Facsimile: (703) 308-6459